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5 **UNITED STATES DISTRICT COURT**  
6 **EASTERN DISTRICT OF CALIFORNIA**  
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8 **UNITED STATES OF AMERICA,**

9 **Plaintiff**

10 **v.**

11 **ENRIQUE DIAZ,**

12 **Defendant**  
13

**CASE NO. 1:03-CR-5111 AWI-1**

**ORDER FOR RESPONSE TO MOTION  
FOR EARLY TERMINATION OF  
SUPERVISED RELEASE**

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15 On June 17, 2021, Defendant Enrique Diaz filed a pro se motion for early termination of  
16 supervised release. See Doc. No. 276. Considering the totality of Defendant's motion, the Court  
17 finds that it is appropriate for the United States and the United States Probation Office for the  
18 Eastern District of California to file a response, and for Defendant to be given the opportunity to  
19 file a reply. Given the difficulties and restrictions that have resulted from the Covid 19 pandemic,  
20 the Court is receptive to any necessary modifications of the briefing schedule, particularly if a  
21 stipulation between the parties can be reached.

22 Accordingly, IT IS HEREBY ORDERED that:

- 23 1. The United States and the United States Probation Office for the Eastern District of  
24 California shall each file a separate response on the Court's docket to Defendant's motion  
25 within twenty-one (21) days of service of this order;<sup>1</sup>

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27 <sup>1</sup> Factors identified in 18 U.S.C. § 3553 are to be considered in evaluating a request for early termination. To the  
28 extent that the United States or the United States Probation Office opposes early termination, their response shall  
specifically address the relevant factors, in addition to any other relevant information or concerns. Additionally, the  
Court will view a failure by either the United States or the Probation Office to file a response as meaning that the non-  
responding entity **does not oppose** Defendant's motion for early termination of supervised release.

1 2. Defendant may file a reply to the United States' response within seven (7) days of service  
2 of the United States' response;<sup>2</sup> and

3 3. The Clerk shall immediately serve a copy of this order and a copy of Defendant's motion  
4 (Doc. No. 276) on the United States Probation Office for the Eastern District of California.

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6 IT IS SO ORDERED.

7 Dated: June 23, 2021

  
\_\_\_\_\_  
SENIOR DISTRICT JUDGE

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28 <sup>2</sup> If, after review of the submissions of the parties, the Court determines that a hearing is necessary, the Court will set a  
hearing date at that time.